

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BROOKE RYAN, individually and on behalf of all others similarly situated,	:	
	:	
	:	
Plaintiff,	:	No. 20-cv-02164-JMG
	:	
v.	:	CLASS ACTION
	:	
TEMPLE UNIVERSITY,	:	
	:	
Defendant.	:	
CHRISTINA FUSCA, individually and on behalf of all others similarly situated,	:	
	:	
	:	No. 20-cv-03434-JMG
Plaintiff,	:	
	:	CLASS ACTION
v.	:	
	:	
TEMPLE UNIVERSITY,	:	
	:	
Defendant.	:	
	:	

STIPULATION OF FACTS

IT IS HEREBY STIPULATED, by the undersigned counsel on behalf of the stipulating parties, that the following facts are undisputed:

1. Plaintiff Brooke Ryan was enrolled as a student in Temple’s undergraduate program, studying public health, during the Spring 2020 semester.
2. Plaintiff Christina Fusca was enrolled in Temple’s graduate program, studying criminal justice, during the Spring 2020 semester.
3. Temple’s Spring 2020 semester began on January 13, 2020.

4. Temple's Spring 2020 semester was scheduled to conclude with the last day of examinations on or about May 5, 2020, and commencement ceremonies on May 7, 2020.

5. On March 11, 2020, "as a result of the COVID-19 pandemic," Temple announced that all classes would be taught online, effective March 16, 2020.

6. On March 16, 2020, Mayor Jim Kenney announced that only essential businesses could remain open in Philadelphia through at least March 27, 2020, but that a precise end date to the citywide shutdown had not yet been determined. See <https://www.phila.gov/2020-03-16-city-announces-new-restrictions-on-business-activity-in-philadelphia>.

7. On March 19, 2020, Governor Tom Wolf announced that only life-sustaining businesses could remain open in Pennsylvania. Governor Wolf's order stated that it was "effective immediately (March 19, 2020) and will remain in effect until further notice."

8. Plaintiffs and Temple entered into legally binding contracts.

9. Temple provided \$20 million in pro-rata refunds to students for parking, on-campus housing and meal plans.

10. Temple did not offer an online program in either plaintiff's field (undergraduate public health, criminal justice).

11. Plaintiff Christina Fusca received a M.A. in Criminal Justice from Temple University in December 2020.

12. Plaintiff Brooke Ryan received a B.S. in Public Health from Temple University in May 2021.

13. The University Services Fee is a "non-refundable" flat fee which is charged to all students. It is "single, comprehensive fee that helps fund a number of university services, including [a]ccess to all student activities, events and recreational facilities," and does not vary

based on a student's use of or access to University facilities or services. *See*

https://bulletin.temple.edu/archives/2019_2020_Undergraduate_Temple.pdf, at p. 129.

14. The University Services Fee was calculated during the Spring 2020 semester as follows:

- o Enrolled for 9 or more credits: \$445.00
- o Enrolled for 5.0 to 8.9 credits: \$319.00
- o Enrolled for 1.0 to 4.9 credits: \$163.00

See id.

15. Temple distributed more than \$14 million in Emergency Financial Aid Grants to more than 16,000 students under Section 18004(a)(1) of the CARES Act.

16. Plaintiff Brooke Ryan received an \$800 grant pursuant to Section 18004(a)(1) of the CARES Act and an \$815 grant pursuant to HEERF II.

17. For the Spring 2020 semester at Temple, Plaintiff Brooke Ryan received a scholarship of \$1,000, a grant of \$3,600, and \$1,732 in grants from PHEAA.

18. For the Spring 2020 semester, Plaintiff Brooke Ryan received a refund from Temple of \$4,288 for private housing and food and a course fee refund from Temple of \$24.

IT IS SO STIPULATED.

Dated: November 14, 2023

Respectfully submitted,

/s/ Stuart A. Carpey

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